

Brush, Jason

From: Brush, Jason
Sent: Thursday, December 12, 2013 9:21 AM
To: Evans, David; Kaiser, Russell
Cc: Pendergast, Jim; Best-Wong, Benita; Miller, Clay; Flannery-Keith, Erin; Diamond, Jane; Goforth, Kathleen; Leidy, Robert; Sumner, Rich
Subject: URGENT - RE: Rosemont: request for staff recommendations
Importance: High
Categories: EPA

[REDACTED]
B5
[REDACTED]

Thanks - Jason

From: Evans, David
Sent: Thursday, December 12, 2013 8:58 AM
To: Brush, Jason; Kaiser, Russell
Cc: Pendergast, Jim; Best-Wong, Benita; Miller, Clay; Flannery-Keith, Erin; Diamond, Jane
Subject: RE: Rosemont: Proposed email to Horst

[REDACTED]
B5
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

Dave Evans

David S. Evans, Acting Deputy Director
Office of Wetlands, Oceans and Watersheds
Phone: 202-566-0535

From: Brush, Jason
Sent: Thursday, December 12, 2013 11:44 AM
To: Kaiser, Russell
Cc: Pendergast, Jim; Evans, David; Best-Wong, Benita; Miller, Clay; Flannery-Keith, Erin; Diamond, Jane
Subject: RE: Rosemont: Proposed email to Horst

[REDACTED]

[REDACTED]

From: Kaiser, Russell
Sent: Thursday, December 12, 2013 8:26 AM
To: Brush, Jason
Cc: Pendergast, Jim; Evans, David; Best-Wong, Benita; Miller, Clay; Flannery-Keith, Erin
Subject: RE: Rosemont: Proposed email to Horst
Importance: High

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Thanks

Russell L. Kaiser
Chief, Wetlands & Aquatic Resources Regulatory Branch
1301 Constitution Ave., N.W.
Room 7217M West Bldg.
Washington, DC 20004
P: 202.566.0963

From: Kaiser, Russell
Sent: Thursday, December 12, 2013 7:23 AM
To: Brush, Jason
Cc: Pendergast, Jim; Evans, David; Best-Wong, Benita; Miller, Clay; Flannery-Keith, Erin
Subject: RE: Rosemont: Proposed email to Horst
Importance: High

Jason-

[REDACTED]

[REDACTED]

[REDACTED]

Did I miss anything - pls respond ASAP as I will be meeting with Ken this morning...

Thanks,

Russell L. Kaiser
Chief, Wetlands & Aquatic Resources Regulatory Branch
1301 Constitution Ave., N.W.
Room 7217M West Bldg.
Washington, DC 20004
P: 202.566.0963

From: Goforth, Kathleen
Sent: Wednesday, December 11, 2013 8:56 PM
To: Rader, Cliff
Cc: Kaiser, Russell; Pendergast, Jim; Herrera, Angeles; Jessop, Carter; Brush, Jason; Hessert, Aimee; Bromm, Susan
Subject: Rosemont: Proposed email to Horst

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- 1. [REDACTED]
- 2. [REDACTED]
- 3. [REDACTED]
- 4. [REDACTED]

[REDACTED]

[REDACTED]

- 1. [REDACTED]
- 2. [REDACTED]

[REDACTED]

[REDACTED]

^[1] The FEIS shows with high probability that there would be substantial impacts to distant sensitive aquatic resources, but lacks a scientifically valid representation of the long term impacts to these distant waters. The groundwater modeling employed for the purposes of projecting this impact is highly speculative and lacks adequate sensitivity for impacts at depths shallower than 5 feet. To move beyond a weight-of-evidence assessment, EPA has suggested that a scientifically supportable risk-based analysis of probable aquatic resource impacts would be appropriate. This would allow the project impacts to be considered holistically in conjunction with cumulative declines in water availability.

^[2] The current conceptual mitigation proposal : 1) is currently aimed at enhancing just a few stream reaches (corridors) located downstream from the project area, and possibly in other watersheds; 2) does not account for the loss of ecological services arising from the interrelationship of the headwater streams and the surrounding terrestrial ecology; 3) fails to account for the ecological uncertainty associated with the described stream corridor enhancement, proposes no mitigation goals or performance targets (standards), and does not document the amount of development risk attributed to proposals that emphasize aquatic resource preservation; and 4) is not supported by information gained from a functional/condition assessment of streams, springs, and wetlands directly and indirectly impacted by the project. While the FEIS incorporates some consideration of functional values impaired, a full functional assessment would have included the collection of data at reference sites, establishment of reference criteria, determination of functional values in various settings and, overall, would have provided a far more complete and comprehensive picture of the project's environmental consequences regarding aquatic and riparian resources.